

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:
BORDEN LADNER GERVAIS LLP
 World Exchange Plaza
 1100 - 100 Queen Street
 OTTAWA, Ontario
 Canada, K1P 1J9

PCT

INVITATION TO CORRECT DEFECTS IN THE INTERNATIONAL APPLICATION

(PCT Articles 3(4)(i) and 14(1) and Rule 26)

| | | | |
|--|---|---|---------------------------|
| | | Date of mailing (day/month/year) | 03 June 2005 (03-06-2005) |
| Applicant's or agent's file reference PAT 2295W-90 | REPLY DUE | within ONE month/days from the above date of mailing | |
| International application No. PCT/CA2005/000701 | International filing date (day/month/year) | 06 May 2005 (06-05-2005) | |

Applicant
SIDENSE CORP. ET AL

1. The applicant is hereby invited, within the time limit indicated above, to correct, in the international application as filed, the defects specified on the attached:
 - Annex A
 - Annex B1 (*text matter of the international application as filed*)
 - Annex C1 (*drawings of the international application as filed*)
2. The applicant is hereby invited, within the time limit indicated above, to correct, in the translation of the international application furnished under Rule 12.3 or 12.4, the defects specified on the attached:
 - Annex A
 - Annex B2 (*text matter of the translation of the international application*)
 - Annex C2 (*drawings of the translation of the international application*)

Additional observations (if necessary):

HOW TO CORRECT THE DEFECTS?

Correction must be submitted by filing a replacement sheet embodying the correction and a letter accompanying the replacement sheet, which shall draw attention to the difference between the replaced sheet and the replacement sheet. A correction may be stated in a letter only if it is of such a nature that it can be transferred from the letter to the record copy without adversely affecting the clarity and direct reproducibility of the sheet onto which the correction is to be transferred (Rule 26.4).

ATTENTION

Failure to correct the defects will result in the international application being considered withdrawn by this receiving Office (see Rule 26.5 for further details).

A copy of this invitation and any attachments has been sent to the International Bureau

and the International Searching Authority

| | |
|--|---|
| Name and mailing address of the Receiving Office/CA Canadian Intellectual Property Office Place du Portage I, C114 - 1st Floor, Box PCT 50 Victoria Street Gatineau, Quebec K1A 0C9 Facsimile No.: 001(819)953-2476 | Authorized Officer Gisèle Faubert (819) 997-6254 |
|--|---|

ANNEX A TO FORM PCT/RO/106

International application No.
PCT/CA2005/000701

The receiving Office has found the following defects in the international application as filed:

1. As to signature of the international application (Rules 4.15, 26.2bis(a) and 90.4), the request:
 - a. is not signed* by the applicant or, if there is more than one applicant, by at least one of them
 - b. is not accompanied by the statement referred to in the check list in Box No. IX of the request explaining the lack of the signature of an applicant for the designation of the United States of America
 - c. is signed by what appears to be an agent/common representative but:
 - the international application is not accompanied by a power of attorney appointing him
 - the power of attorney accompanying the international application is not signed by all the applicants
 - d. other (specify):

* Although Rule 4.15 requires that all applicants must sign the request (e.g. including all inventors/applicants for the designation of the United States of America), for the purposes of Article 14(1)(a)(i), if there is more than one applicant, it shall be sufficient that the request be signed by one of them (Rule 26.2bis(a)).

However, the applicant's attention is drawn to the fact that the national law applied by each designated Office may require, in connection with the processing of the international application in the national phase, that the applicant furnish the confirmation of the international application by the signature of any applicant for the designated State who has not signed the request (Rule 51bis.1(a)(vi)).

2. As to indications concerning the applicant* who is entitled, according to Rule 19.1, to file the international application with the receiving Office, the request (Rules 4.4, 4.5 and 26.2bis(b)):
 - a. does not properly indicate the applicant's name (specify):
 - b. does not indicate the applicant's address
 - c. does not properly indicate the applicant's address (specify):
 - d. does not indicate the applicant's nationality
 - e. does not indicate the applicant's residence

Further observations about indications concerning other applicants (if applicable):

* Although Rules 4.4 and 4.5 require indications concerning the applicant, or if there are several applicants, of each of them, for the purposes of Article 14(1)(a)(ii), if there is more than one applicant, it shall be sufficient that the indications required under Rule 4.5(a)(ii) and (iii) be provided in respect of one of them who is entitled according to Rule 19.1 to file the international application with the receiving Office (Rule 26.2bis(b)).

However, the applicant's attention is drawn to the fact that the national law applied by each designated Office may require, in connection with the processing of the international application in the national phase, that the applicant furnish any missing indication required under Rule 4.5(a)(ii) and (iii) in respect of any applicant for the designated State (Rule 51bis.1(a)(vi)).

3. As to the language of certain elements of the international application, other than the description and claims (Rules 12.1(c) and 26.3ter(a) and (c)):
 - a. the request is not in a language of publication accepted by this receiving Office; (the) language(s) accepted by this receiving Office is/are: English or French
 - b. the text matter of the drawings is not in the language in which the international application is to be published, which is: English or French
 - c. the abstract is not in the language in which the international application is to be published, which is: English or French
4. The title of the invention:
 - a. is not indicated in Box No. I of the request (Rule 4.1(a))
 - b. is not indicated at the top of the first sheet of the description (Rule 5.1(a))
 - c. as appearing in Box No. I of the request is not identical with the title heading the description (Rule 5.1(a)).
5. As to the abstract (Rule 8 and 26.1(b)):
 the international application does not contain an abstract

This receiving Office has found that, with regard to the presentation of the text matter of the international application as filed, the physical requirements are not complied with to the extent that compliance therewith is necessary for:

1. reasonably uniform international publication (Rules 11 and 26.3(a)(i)) (*defects to be specified*):

| | Request | Description | Claims | Abstract |
|----|--------------------------|---|--------------------------|--------------------------|
| a. | <input type="checkbox"/> | the sheets do not admit of direct reproduction | <input type="checkbox"/> | <input type="checkbox"/> |
| b. | <input type="checkbox"/> | the element does not commence on a new sheet | <input type="checkbox"/> | <input type="checkbox"/> |
| c. | <input type="checkbox"/> | sheets are not free from creases, cracks, folds | <input type="checkbox"/> | <input type="checkbox"/> |
| d. | <input type="checkbox"/> | sheets are not used in the upright position | <input type="checkbox"/> | <input type="checkbox"/> |
| e. | <input type="checkbox"/> | one side of the sheets is not left unused | <input type="checkbox"/> | <input type="checkbox"/> |
| f. | <input type="checkbox"/> | the paper of the sheets is not flexible/strong/white/smooth/non-shiny/durable | <input type="checkbox"/> | <input type="checkbox"/> |
| g. | <input type="checkbox"/> | the sheets are not connected as prescribed (Rule 11.4(b)) | <input type="checkbox"/> | <input type="checkbox"/> |
| h. | <input type="checkbox"/> | sheets are not A4 size (297cm x 21cm) | <input type="checkbox"/> | <input type="checkbox"/> |
| i. | <input type="checkbox"/> | the minimum margins on the sheets are not as prescribed (top: 2cm; left side: 2.5cm; right side: 2cm; bottom: 2cm) | <input type="checkbox"/> | <input type="checkbox"/> |
| j. | <input type="checkbox"/> | the file reference number indicated on the sheets does not appear in the left-hand corner of the sheets, within 1.5cm of the top of the sheets | <input type="checkbox"/> | <input type="checkbox"/> |
| k. | <input type="checkbox"/> | the file reference number exceeds the maximum of 12 characters | <input type="checkbox"/> | <input type="checkbox"/> |
| l. | <input type="checkbox"/> | the sheets of the description, claims and abstract are not numbered in consecutive Arabic numerals | <input type="checkbox"/> | <input type="checkbox"/> |
| m. | <input type="checkbox"/> | the sheet numbers are not centered at the top or bottom of the sheets | <input type="checkbox"/> | <input type="checkbox"/> |
| n. | <input type="checkbox"/> | the sheet numbers are in the margin (see i. above for the size of the margins) | <input type="checkbox"/> | <input type="checkbox"/> |
| o. | <input type="checkbox"/> | the text matter is not typed or printed | <input type="checkbox"/> | <input type="checkbox"/> |
| p. | <input type="checkbox"/> | the typing on the sheets is not 1½-spaced | <input type="checkbox"/> | <input type="checkbox"/> |
| q. | <input type="checkbox"/> | the characters in the text matter on the sheets are less than 0.21cm high in capital letters | <input type="checkbox"/> | <input type="checkbox"/> |
| r. | <input type="checkbox"/> | the text matter on the sheets is not in dark, indelible color | <input type="checkbox"/> | <input type="checkbox"/> |
| s. | <input type="checkbox"/> | the element contains drawings | <input type="checkbox"/> | <input type="checkbox"/> |
| t. | <input type="checkbox"/> | the sheets contain alterations/overwritings/interlineations/too many erasures | <input type="checkbox"/> | <input type="checkbox"/> |
| u. | <input type="checkbox"/> | the sheets contain photocopy marks | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. | <input type="checkbox"/> | satisfactory reproduction (Rules 11 and 26.3(b)(i)) | | |

Further observations (if necessary):

ON THE PCT REQUEST THE FOLLOWING DECLARATION IS MISSING. BOX VIII (ii) on page is missing.